IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3655 OF 2006

Nilesh M. Tanna .. Applicant

Versus

State of Maharashtra .. Respondent

Mr.Pawaskar i/b. Aparna Vhatkar for applicant

Ms.M.H.Mhatre, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 4th October 2006.

P.C.

. The applicant has approached this Court directly without approaching the sessions court.

2. After this fact was brought to the notice

of Mr.Pawaskar, he seeks to leave to withdraw this application with liberty to approach trial court. However, he submits that considering that the applicant has been harassed by registration of frequent C.Rs. and it is C.R. registered with Matunga police station wherein applicanthe apprehends arrest. He should be protected till he files the application before Sessions Court, otherwise, the remedy of anticipatory bail would not be available.

3. The application is disposed of as withdrawn with liberty as above. However, it is directed that the applicant shall not be arrested till 9th October 2006, to enable him to make appropriate application before sessions court. All contentions are kept open.

(S.C.Dharmadhikari, J)